

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 5162 of 2001

With

CIVIL APPLICATION NO 12816 OF 2001

For Approval and Signature:

Hon'ble MR.JUSTICE B.J.SHETHNA

and

Hon'ble MR.JUSTICE N.G.NANDI

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

AHMEDABAD MUNICIPAL CORP.

Versus

GUJARAT MINERAL INDUSTRY ASSOCIATION

Appearance:

1. First Appeal No. 5162 of 2001
MR P.S. PATEL for Petitioner No. 1
MR KETAN D SHAH for Respondent No. 1
-

CORAM : MR.JUSTICE B.J.SHETHNA

and

MR.JUSTICE N.G.NANDI

Date of decision: 24/01/2002

ORAL JUDGEMENT

(Per : MR.JUSTICE B.J.SHETHNA)

1. Heard learned counsel Shri. P.S. Patel for appellant Corporation and Shri. Ketan Shah for respondent.

2. In the instant case GRV was fixed at Rs.45,660/by the Corporation for the assessment year 1994-95 in M.V. Appeal No. 4861 of 1995. Learned Judge, Small Causes Court, Ahmedabad vide judgment & order dated 10-9-1999 allowed the appeal and reduced the GRV from Rs.45,660/to Rs.12,250/-. This has been challenged in this appeal by the appellant Corporation.

3. Learned counsel Shri. Ketan Shah appearing for respondent places on record a photostat copy of the order of assessment passed by Deputy Assessor & Collector, West Zone, Ahmedabad Municipal Corporation, passed on 29-2-2000 for the period commencing from 1-4-1997 onwards whereby GRV was fixed for the said premises at Rs.12,780/-. Thus, there is difference of hardly Rs.530/-. In that view of the matter Shri. Patel for the appellant Corporation was hardly in a position to say in this appeal. In view of the aforesaid, this appeal is dismissed. In view of the appeal being dismissed, no order in civil application No. 12816 of 2001, and the same is accordingly dismissed. No order as to costs.

Dt: 24-1-2002

(B.J. Shethna, J)

(N.G. Nandi, J)

/vgn